

MAR 13 2006

FACSIMILE TRANSMITTAL FORM	Application Number	10/723511
	Filing Date	November 26, 2003
	First Named Inventor	Eberman, Kevin W.
	Art Unit	1754
	Examiner Name	T. Vanoy
Fax: 571-273-8300	Attorney Docket Number	58581US002
Total Number of Pages in This Submission: 3		
Date: March 13, 2006	Attorney for Applicant: Lucy C. Weiss	

ENCLOSURES (check all that apply)		
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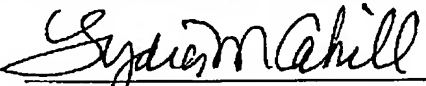
Patent
Case No.: 58581US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: EBERMAN, KEVIN W.
Application No.: 10/723511 Group Art Unit: 1754
Filed: November 26, 2003 Examiner: T. Vanoy
Title: SOLID STATE SYNTHESIS OF LITHIUM ION BATTERY CATHODE
MATERIAL

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

This is in response to the Office Action mailed February 14, 2006.

Remarks

Claims 1-21 are pending.

Restriction Requirement

Restriction to one of the following groups of claims was required under 35 U.S.C.

Section 121:

- Group I: Claims 1-14, 18, and 19, said to be drawn to lithium compositions and a method for making the same, classified in Class 423, subclass 593.1+.
- Group II: Claims 15-17, 20, and 21, said to be drawn to a battery and a method for making the same, classified in Class 429, subclass 223+.

Applicants hereby provisionally elect the Group I claims with traverse. Applicants respectfully submit that the Restriction Requirement is improper for the following reasons.